

REMARKS

Claims 1-11 and 33-38 are pending.

Claims 3 and 4 stand rejected under 35 USC 112, second paragraph, as being indefinite.

Claims 1-3 and 11 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira.

Claim 4 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Furuya.

Claim 5-9 and 33-38 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Mahawili or Carman.

Claim 10 stands rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Weber.

Changes in the Claims

Claims 1, 33, and 36 have been amended to further particularly point out and distinctly claim what is regarded as the invention. Claims 1, 33 and 36 have been amended to add “low power” to the incoming heat flux from the plasma. This amendments is supported by the specification at page 5, lines 5-13 and page 9, lines 1-3: “the present apparatus seeks to achieve precise thermal control with the capability of the significant thermal differentials, for example over 5C, but **without requiring significant heat flux, for example less than 2W per cm2.**”

Rejection under 35 USC 112 – claims 3 and 4

Claims 3-4 stand rejected under 35 USC §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention.

Claim 3 has been amended to depend from claim 2 to provide the term “thermal conductor” with proper antecedent basis.

Claim 4 has been amended to provide proper antecedent basis.

Rejection under 35 USC §103(a) – claims 1-3 and 11

Claims 1-3 and 11 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira. This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See In re Royka, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Kholodenko describes an electrostatic chuck for use in a plasma chamber. In particular, Kholodenko seeks to satisfy the “need for an electrostatic chuck that can be operated at **high temperatures**.” Col. 2, line 30. Kholodenko seeks to solve the problem arising from the “vacuum seal between the electrostatic chuck and the surface of the

chamber, especially for **high temperature processes**.” The apparatus in Kholodenko is therefore designed to operate at a **high temperature process**.

Kuibira teaches a thermal insulation material.

On the other hand, the presently claimed invention claims a chuck for a plasma processor where the flat support receives an **incoming low power heat flux** from a plasma during a process.

The proposed combination of Kholodenko and Kuibira does not teach or suggest an **incoming low power heat flux** from the plasma. As explained above, the apparatus in Kholodenko operates at **high temperature**: the “electrostatic chuck 55 and the plug 345 are maintained at a temperature of **about 600°C**.” See Kholodenko, Col. 14, lines 46-47. Furthermore, Kuibira does not teach or suggest a **low power heat flux** from a plasma process.

Thus, Applicant submits that there is the combination of Kholodenko and Kuibira does not teach or suggest the presently claimed invention and respectfully requests the rejection be withdrawn.

Rejection under 35 USC §103(a) – claim 4

Claim 4 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Furuya. This rejection is respectfully traversed.

These rejections are respectfully traversed for at least the reason that each of the rejected claims ultimately depend on an above-discussed allowable base claim. The arguments set forth above regarding the base claims are equally applicable here. The

base claims being allowable, the dependent claims must also be allowable. Therefore, applicant respectfully requests the rejection be withdrawn.

Rejection under 35 USC §103(a) – claims 5-9 and 33-38

Claims 5-9 and 33-38 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Mahawili or Carman. This rejection is respectfully traversed.

These rejections are respectfully traversed for at least the reason that each of the rejected claims ultimately depend on an above-discussed allowable base claim. The arguments set forth above regarding the base claims are equally applicable here. The base claims being allowable, the dependent claims must also be allowable. Therefore, applicant respectfully requests the rejection be withdrawn.

Rejection under 35 USC §103(a) – claim 10

Claim 10 stands rejected under 35 USC §103(a) as being allegedly unpatentable over Kholodenko in view of Kuibira and further in view of Weber. This rejection is respectfully traversed.

These rejections are respectfully traversed for at least the reason that each of the rejected claims ultimately depend on an above-discussed allowable base claim. The arguments set forth above regarding the base claims are equally applicable here. The base claims being allowable, the dependent claims must also be allowable. Therefore, applicant respectfully requests the rejection be withdrawn.

Conclusion

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
THELEN REID & PRIEST LLP



Thierry K. Lo
Reg. No. 49,097

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Thelen Reid & Priest LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 282-1810 Direct
(408) 292-5800 Main
(408) 287-8040 Fax